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Attorneys for Defendant
ALLSTATE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KATTY VALLE, IVANIA RAMIREZ,
JANET RAMIREZ and ZENEYDA
BALDODANO,

Plaintiffs,

vs.

ALLSTATE INSURANCE COMPANY,

Defendants.

No. CV 08 1533 JL

NOTICE TO PLAINTIFFS THAT ACTION
HAS BEEN REMOVED TO FEDERAL
COURT

TO PLAINTIFFS AND THEIR ATTORNEY OF RECORD:

NOTICE IS HEREBY GIVEN that, pursuant to 28 U.S.C. sections 1332, 1441(a), and 1446, this action has been removed to the United States District Court for the Northern District of California. Copies of the Notice Of Removal Of Civil Action filed in the District Court and the Notice That Action Has Been Removed filed in the Superior Court of California for the County of San Mateo, are attached (without their exhibits) as Exhibit "1."

All further proceedings in this action shall take place before the United States District Court for the Northern District of California.

SONNENSCHEN NATH & ROSENTHAL LLP
525 MARKET STREET, 26TH FLOOR
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Respectfully submitted,

Dated: March 24, 2008

SONNENSCHEN NATH & ROSENTHAL LLP

By 
MEGAN DUNHAM

Attorneys for Defendant
ALLSTATE INSURANCE COMPANY

EXHIBIT 1

ORIGINAL
FILED
08 MAR 20 PM 12:20
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JL

SAN FRANCISCO DIVISION

CV 08

1533

KATTY VALLE, IVANIA RAMIREZ,
JANET RAMIREZ and ZENEYDA
BALDODANO,

No.

NOTICE OF REMOVAL OF A CIVIL
ACTION

Plaintiffs,

vs.

ALLSTATE INSURANCE COMPANY,

Defendants.

SONNENSCHN NATH & ROSENTHAL LLP
525 MARKET STREET, 26TH FLOOR
SAN FRANCISCO, CALIFORNIA 94105-2708
(415) 882-5000

TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA AND TO PLAINTIFFS AND THEIR
ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. section 1441(a), defendant hereby
removes to this Court the action described herein and respectfully submits the following
statement of grounds for removal:

THE SUPERIOR COURT ACTION

1. On January 17, 2008, an action was commenced in the Superior Court of the State
of California for the County of San Mateo, entitled "*Valle et al. v. Allstate Insurance Company,*
and Does 1 through 50, inclusive," Case No. CIV 46 9346 (the "Superior Court Action").

SERVICE

JURISDICTION

9. Plaintiff and Allstate, accordingly, are citizens and residents of different states.

AMOUNT IN CONTROVERSY

10. The amount in controversy in the Superior Court Action, exclusive of interest and costs, exceeds the \$75,000 jurisdictional minimum. Plaintiff Katty Valle has made a settlement demand for the \$100,000 policy limit. Plaintiffs Janet Ramirez and Zeneyda Baltodano have each demanded \$12,000. Plaintiff Ivania Ramirez has not yet made a demand. Plaintiffs therefore seek over \$124,000 in contract damages.

11. Additionally, plaintiffs seeks to recover attorney's fees. (Complaint, prayer for relief.) Attorney's fees incurred to compel payment of insurance policy benefits unreasonably withheld are recoverable as an element of damages under *Brandt v. Superior Court*, 37 Cal. 3d 813 (1985), and therefore must be included in calculating the amount of controversy. *Galt G/S v. JSS Scandinavia*, 142 F.3d 1150, 1155-56 (9th Cir. 1998).

12. Plaintiffs also seek an undisclosed amount of punitive damages. (Complaint, prayer for relief.) In calculating the amount in controversy, the Court must consider the punitive damages that may be recovered by plaintiffs if their claim for punitive damages should prevail. *Surber v. Reliance Nat. Indem. Co.*, 110 F. Supp. 2d 1227, 1232 (N.D. Cal. 2000).

ORIGINAL JURISDICTION

13. The Superior Court Action is a civil action of which this Court has original jurisdiction under 28 U.S.C. section 1332, in that plaintiffs and Allstate are citizens of different states and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

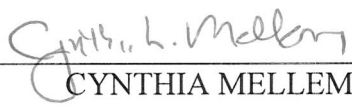
14. The case is therefore one which Allstate may remove to this Court pursuant to 28 U.S.C. sections 1441 and 1446. The removal is effected less than thirty days after service of the Complaint in the Superior Court Action, in accordance with 28 U.S.C. section 1446(b).

WHEREFORE, Allstate hereby gives notice that this action has been removed, in its entirety, from the Superior Court of the State of California for the County of San Mateo to the United States District Court for the Northern District of California, San Francisco Division for further proceedings as though it originally had been instituted herein.

Respectfully submitted,

Dated: March 19, 2008

SONNENSCHN NATH & ROSENTHAL LLP

By 
CYNTHIA MELLEMA

Attorneys for Defendant
ALLSTATE INSURANCE COMPANY

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ENDORSED FILED
SAN MATEO COUNTY
MAR 21 2008

Clerk of the Superior Court
By DANIEL SHEA
DEPUTY CLERK

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Attorneys for Defendant
ALLSTATE INSURANCE COMPANY

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN MATEO

BY FAX

KATTY VALLE, IVANIA RAMIREZ,
JANET RAMIREZ and ZENEYDA
BALDODANO,

Plaintiffs,

vs.

ALLSTATE INSURANCE COMPANY,

Defendants.

No. CIV469346

NOTICE TO STATE COURT THAT
ACTION HAS BEEN REMOVED TO
FEDERAL COURT

TO THE CLERK OF THE ABOVE COURT:

On March 20, 2008, defendant Allstate Insurance Company removed this action to the United States District Court for the Northern District of California, pursuant to 28 U.S.C. sections 1332, 1441(a), and 1446. A complete copy of the Notice Of Removal Of Civil Action (without exhibits) is attached hereto as Exhibit "A."

PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. section 1446(d), filing the Notice Of Removal Of Civil Action in the United States District Court followed by filing this notice with this Court effected the removal of this action, and this Court may not proceed further unless and until the action is remanded.

Respectfully submitted,

Dated: March 20, 2008

SONNENSCHN NATH & ROSENTHAL LLP

By 
CYNTHIA MELLEMA

Attorneys for Defendant
ALLSTATE INSURANCE COMPANY

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